

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

BPI ENERGY HOLDINGS, INC., et al.,)	
)	
Plaintiffs,)	
)	
V.)	Civil No. 07-186-DRH
)	
IEC, LLC, et al.,)	
)	
Defendants.)	

ORDER

PROUD, Magistrate Judge:

Before the Court is plaintiff BPI Energy's motion to compel the defendants to fully respond to plaintiff's First Request for Production and/or produce a privilege log for all documents withheld. **(Doc. 65).**

The defendants respond that they are producing documents on a "rolling basis" and anticipate all documents to be produced "well before the discovery cutoff of May 16, 2008." Defendants explain that the large volume of documents requested, and the requested metadata, are the cause for the delay in fully complying with plaintiff's discovery requests. Defendants projected they needed only about two more weeks to complete production— a deadline which has long since passed. **(Doc. 68).** Plaintiff replies that the defendants have unilaterally moved back their response deadline and should be forced to complete their production by a date certain. **(Doc. 70).**

The Court appreciates the difficulties and time involved in responding to discovery requests in a document-intensive case, such as this. The parties should have been able to work this dispute out without involving the Court. In any event, at this late juncture, if the defendants

have not completed the requested production and/or submitted a privilege log for documents withheld, they must do so immediately so as to not further delay the progression of this case to trial.

IT IS HEREBY ORDERED that plaintiff's motion to compel the defendants to fully respond to plaintiff's First Request for Production and/or produce a privilege log for all documents withheld (**Doc. 65**) is **GRANTED**. On or before **April 30, 2008**, the defendants shall comply with plaintiff's First Request for Production and/or produce a privilege log for all documents withheld.

IT IS SO ORDERED.

DATED: April 16, 2008

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE